

PETITION FOR UNIT CLARIFICATION OR MERGER

(File original and 1 copy with the Maine Labor Relations Board,
90 State House Station, Augusta, Maine 04333-0090.)

Purpose of Petition (check applicable box)

☐ Unit Merger

☒ Unit Clarification (UC)

Petitioner (incumbent bargaining agent or employer, only)

Name MSEA/SEIU Local 1989

Address PO Box 1072

Augusta ME 04332-1072

Phone 207-622-3151

E-Mail (if available) tim.belcher@mseaseiu.org

Petitioner's Representative for correspondence
(if different)

Name Timothy L. Belcher, Esq.

Address same

Phone _____

E-Mail (if available) _____

Responding Party

Name Joyce Oreskovich, Esq.

Bureau of Employee Relations
Address State House Station #79

Augusta, ME 04333

Phone 207-287-4455

E-Mail (if available) joyce.a.oreskovich@maine.gov

1. Describe the existing or proposed collective bargaining unit; set forth the classifications of employees comprising the unit; and estimate the number of employees in each classification. If a position in an included classification is to be excluded from the unit, list each such specific position and set forth the basis for its exclusion. Continue on separate sheet if needed.

The union requests that the approximately 25 supervisory positions in the Biologist II
classifications, currently included in the Professional-Technical Bargaining Unit (3009
employees) of the Executive Branch of State Government, be included in the Supervisory
Services Bargaining Unit (750 employees). The classifications included in each unit
are listed in the attached expired collective bargaining agreements.

2. Provide the name, address and telephone number of any other employees or employee organizations other than the petitioner claiming to represent any of the employees in the unit to be clarified.

none

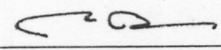
3. State what action or remedy the petitioner is seeking from the Board.

See #1 above.

4. ☒ (Check off for UC petition only) The parties are unable to agree on appropriate modifications, there is no question concerning representation, and the circumstances surrounding the formation of the existing bargaining unit have changed sufficiently to warrant modification in the composition of the bargaining unit. State what changes have occurred since the formation of the bargaining unit, the date(s) of their occurrence and the modification(s) that the petitioner proposes. Continue on separate sheet if needed.

The parties are unable to agree on the appropriate modifications, there is no contract in effect as of the date of this filing, and the union has provided notice to the employer reserving its right to file this petition notwithstanding the execution of a successor agreement to take effect July 2, 2003. These supervisory roles and responsibilities of these positions have expanded significantly since the formation of the bargaining unit, and the employer now treats these employees as supervisors in all relevant respects.

5. State the expiration date of any collective bargaining agreement covering employees in the existing or proposed bargaining unit and attach a copy. There is no collective bargaining agreement in effect as the time of this filing. The last agreement was in effect from July 1, 2001 until June 30, 2003. Copies of which are attached. The successor will go into effect on July 2, 2003 and expire on June 30, 2005.
6. State any other facts relevant to this Petition. _____

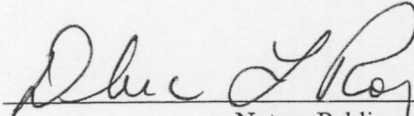
Signed by:  (Timothy L. Belcher) Date Signed: 6/26/03

Title: General Counsel

STATE OF MAINE

KENNEBEC, ss. June 26, 2003, 20____
(County)

Personally appeared before me, the undersigned authority at law, the aforementioned petitioner Timothy L. Belcher
(name)
in his/~~her~~ capacity as General Counsel, who, under the penalty of perjury, made oath
that the foregoing Petition is true and correct to the best of his/~~her~~ information and belief.


Notary Public

My Commission Expires 6-18-2008